

**IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF OKLAHOMA**

<b>ABM INVESTMENTS, LLC,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. CIV-15-225-R</b>
	)	
<b>FARMERS ALLIANCE MUTUAL INSURANCE COMPANY.</b>	)	
	)	
<b>Defendants.</b>	)	

**NOTICE OF REMOVAL**

COMES NOW the Defendant, Farmers Alliance Mutual Insurance Company, (hereinafter “Farmers Alliance”) and pursuant to 28 U.S.C. §1446, hereby gives Notice to all parties of the removal of this action to the United States District Court for the Western District of Oklahoma, and states the following:

1. Farmers Alliance Mutual Insurance Company is the Defendant named in a Petition in a civil action brought against it in the District Court of Oklahoma County, State of Oklahoma, titled *ABM Investments, LLC. v. Farmers Alliance Mutual Insurance Company, Ed Berrong Insurance Agency, Inc., and Christopher Wade Brenneman*, Case No. CJ-2014-2893 (See Docket Sheet attached hereto as Exhibit “1”).

2. Plaintiffs’ original Petition was filed on May 19, 2014 (See letter to Insurance Commissioner dated October 13, 2014 attached hereto as Exhibit “2”; see Alias Summons attached hereto as Exhibit “3”; see Petition attached hereto as Exhibit “4”). The Plaintiffs

are individual residents of the State of Oklahoma, and Defendant Farmers Alliance is a Kansas corporation, with its principal place of business in McPherson, Kansas. Therefore, diversity of citizenship exists in this matter.

3. Special Appearance and Motion to Dismiss of the Defendant Ed Berrong Insurance Agency, Inc. and Brief in Support was filed October 3, 2014. (See Special Appearance and Motion to Dismiss of the Defendant Ed Berrong Insurance Agency, Inc. attached hereto as Exhibit “5”).

4. Proof of Service Affidavit for serving Ed Berrong Insurance Agency, Inc. was filed October 10, 2014. (See Proof of Service Affidavit attached hereto as Exhibit “6”).

5. Proof of Service Affidavit for serving Farmers Alliance Mutual Insurance Company was filed October 10, 2014. (See Proof of Service Affidavit attached hereto as Exhibit “7”).

6. Plaintiff’s Response to Defendant Ed Berrong Agency, Inc. Motion to Dismiss was filed on October 20, 2014. (See Reply attached hereto as Exhibit “8”).

7. Defendant, Farmers Alliance Mutual Insurance Company’s Entry of Appearance and Motion to Dismiss to Plaintiff’s Petition were filed on October 24, 2014. (See Entry of Appearance attached hereto as Exhibit “9”, and Motion to Dismiss attached hereto as Exhibit “10”).

8. Defendant Ed Berrong's Reply to Plaintiffs' Response to Defendant Ed Berrong Insurance Agency's Special Appearance and Motion to Dismiss was filed on October 27, 2014. (See Reply attached hereto as Exhibit "11").

9. Plaintiff's Dismissal Without Prejudice was filed on November 6, 2014. (See Dismissal Without Prejudice attached hereto as Exhibit "12").

10. Plaintiff's Response to Defendant Farmers Alliance Mutual Insurance Company's Motion to Dismiss was filed November 6, 2014. (Plaintiff's Response attached hereto as Exhibit "13").

11. Defendant, Farmers Alliance Mutual Insurance Company's Reply to Plaintiff's Response to Defendant's Motion to Dismiss to Plaintiff's Petition were filed on November 25, 2014. (See Motion to Dismiss attached hereto as Exhibit "14").

12. Defendant, Farmers Alliance Mutual Insurance Company's Motion to Clarify Damages were filed on December 11, 2014. (See Motion to Clarify attached hereto as Exhibit "15").

13. Order Denying Defendant, Farmers Alliance Mutual Insurance Company's Motion to Dismiss were filed on December 18, 2014. (See Order attached hereto as Exhibit "16").

14. Plaintiff's Response to Defendant, Farmers Alliance Mutual Insurance Company's Motion to Clarify Damages were filed on December 23, 2014. (See Plaintiff's Response attached hereto as Exhibit "17").

15. Agreed Order to Defendant Farmers Alliance Mutual Insurance Company's Motion to Clarify Damages were filed on January 22, 2015. (See Agreed Order attached hereto as Exhibit "18").

16. Plaintiff's First Amended Petition, placing in controversy the requisite amount in excess of \$75,000.00, was filed on February 11, 2015. (See Amended Petition attached hereto as Exhibit "19").

17. Defendant Farmers Alliance Mutual Insurance Company's Answer to Plaintiff's First Amended Petition filed on February 17, 2015. (See Answer attached hereto as Exhibit "20").

THEREFORE, pursuant to 28 U.S.C. §1446d, this Court has been conferred jurisdiction under 28 U.S.C. §1332, as diversity jurisdiction exists.

Respectfully submitted,

s/Christine B. McInnes

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***Attorneys for Defendant, Farmers Alliance  
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**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that on the 5<sup>th</sup> day of March 2015, I electronically transmitted a true and correct copy of the foregoing document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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